

Notice of Allowability

Application No.

10/736,078

Examiner

Betelhem Shewareged

Applicant(s)

TAO ET AL.

Art Unit

1794

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication filed on 10/11/2007.
2. ☒ The allowed claim(s) is/are 1-10 and 21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
2. The application has been amended as follows:

Cancel non-elected claims 11-20.

Election/Restrictions

3. This application is in condition for allowance except for the presence of claims 11-20 directed to an invention that is non-elected without traverse. Accordingly, claims 11-20 have been cancelled by examiner's amendment.

REASONS FOR ALLOWANCE

4. Claims 1 and 11 are amended, claims 11-20 are canceled by examiner's amendment, and claims 1-10 and 21 are pending.
5. Pending claims 1-10 and 21 are allowed.
6. The following is an examiner's statement of reasons for allowance: The closest art Lobo et al. (US 5,589,322) teaches a photographic element comprising a photographic coating layer containing a composition of photographically useful materials, wherein the composition comprises at least developing agents and

polyelectrolyte. Lobo neither teaches nor suggests a lithographic printing plate precursor comprising an imageable layer provided on a lithographic substrate, wherein the imageable layer comprises a photothermal conversion material and a sulfated polymer having sulfate groups and a polymer backbone wherein said sulfate groups are attached to aryl groups that are pendent to the polymer backbone, to alkyl groups, or both to aryl groups that are pendent to the polymer backbone and to alkyl groups. Lobo is not directed to lithographic printing plate precursor and lithography, and both photography and lithography represent different technologies with very different imaging chemistry.

7. Collins et al. (US 6,790,590 B2) teaches a lithographic printing plate precursor comprising an imageable layer provided on a lithographic substrate, wherein the imageable layer comprises a compound having structure I. The compound having structure I meets the claimed photothermal conversion material. However, even though the compound having structure I has sulfate groups attached to alkyl groups, it does not meet the claimed sulfated polymer having sulfate groups and a polymer backbone wherein said sulfate groups are attached to aryl groups that are pendent to the polymer backbone, to alkyl groups, or both to aryl groups that are pendent to the polymer backbone and to alkyl groups. The compound having structure I is not a polymer and it does not have a polymer backbone.


8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Betelhem Shewareged whose telephone number is 571-272-1529. The examiner can normally be reached on Mon.-Fri. 8:00AM-4:30PM.
10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Milton Cano can be reached on 571-272-1398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BS
December 26, 2007.


BETELHEM SHEWAREGED
PRIMARY EXAMINER